IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 1153 of 2005

Between:

1 Sahebzadi Asmatunnisa Begum, D/o.Late Nawab Mohd. Fareeduddin, (Fareed Nawaz Jung)
R/o.Prakash Nagar, Begumpet, Hyderabad.
2 Sahebzadi Ameerunnisa Begum, W/o.Sahebzada Jaffer Ali Khan,
D/o.Sahebzai Asmathunnisa Begum, House Wife,
R/o.King Kothi, Hyderabad.
3 Mohd. Nasseuddin Khan, S/o.Late Nawab Mohd. Bderuddin Khan,
R/o.Prakash Nagar, Begumpet, Hyderabad.
4 Sahebzadi Qamerunnisa Begum, D/o.Sahebzai Asmathunnisa Begum,
R/o.Prakash Nagar, Begumpet, Hyderabad.
5 Sahebzadi Iqbalunnisa Begum, W/o.Sahebzada Nusrath Ali Khan,
D/o.Late Ahmedunnisa Begum, R/o.Gulf Bunglow, King Kothi, Hyderabad.
6 Sahebzadi Moinunnisa Begum, D/o.Late Ahmeddunnisa Begum,
R/o.Bapunagar, Sanjeev Reddy Nagar Colony, Hyderabad.
7 Mohd. Fareeduddin Khan, S/o.Mohd.Iqbaluddin Khan,
R/o.Bapunagar, Sanjeeva Reddy Nagar Colony, Hyderabad.
8 Mohd. Hyderuddin Khan, S/o.Mohd. Iqbaluddin Khan,
R/o.Madannapet, Hyderabad.
9 Mrs. Shakeela Begum, W/o.Late Mohd. Abdul Majid,
R/o.Aghapura,Hyderabad.

All are rep.through their G.P.A.Sri D.Narsimha,
S/o.D.Ellaiah, Occ:Lorries Owner, R/o.H.No.1-8-510/27, L.B.S. Nagar,
Paatigadda, Hyderabad.

..... PETITIONERS

AND

1 The Commissioner of police, Having its office at Basheerbagh, Hyderabad.
2 The Deputy Commissioner of police, North Zone, Hyderabad.
3 The Assistant Commissioner of police, North Zone, Begumpet, Hyderabad.
4 The Chief Commissioner of Land Administration (Court of Wards) A.P., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ order or direction more particularly one in the nature of writ of Mandamus, directing the respondents 1 to 3 to implement the orders of the 4th respondent by providing police protection in Sy.No.194/1 & 194/2 which are under the superintendence of court of wards (chief commissioner of Land Administration) and pass such other order or orders.

Counsel for the Petitioners: MR.MOHD.MOIN AHMED QUADRI

Counsel for the Respondents : GP FOR HOME

The Court at the admission stage made the following:

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O R D E R:

The petitioners claim to be the owners of the landed property in Sy.No.194/1 & 194/2 of Begumpet. The said property is said to be under the custody and administration of the fourth respondent, Chief Commissioner of Land Administration (Court of Wards). Petitioners allege that on account of lack of proper protection, encroachments are taking place over the land, and they have submitted representations to the police authorities, respondents 1 to 3, as well as the fourth respondent, but no action has been taken so far.

Heard learned counsel for the petitioners and the learned Government Pleader for Home.

Whenever a property is under the administration of Court of Wards, basically it is the duty of that Court to take necessary measures to protect the property. If any encroachments are taking place, the Court of Wards itself can address letters to the concerned police authorities, to take necessary measures. The petitioners cannot take any steps by themselves.

For the foregoing reasons, the writ petition is disposed of, leaving it open to the petitioners to file an appropriate application or petition, before the fourth respondent, in this regard, and on receiving the same, the fourth respondent shall take immediate and effective steps to protect the property. There shall be no order as to costs.

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4th February, 2005

Note: Issue copy in two days.

(B/o)

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To

1 The Commissioner of police, Having its office at Basheerbagh, Hyderabad.
2 The Deputy Commissioner of police, North Zone, Hyderabad.
3 The Assistant Commissioner of police, North Zone, Begumpet, Hyderabad.
4 The Chief Commissioner of Land Administration (Court of Wards) A.P., Hyderabad.

5 Two C.Cs. to the Government Pleader for Home,.

High Court buildings, Hyderabad (OUT)

6 Two C.D.copies